

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAMAR COLLINS,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
RICHARD JONES, et al	:	NO. 2:13-cv-07613-DS
Defendants.	:	

ORDER

DAVIR R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

AND NOW, this 24th day of February, 2015, upon consideration of “Defendants Richard Jones and Francis Priscopo’s Motion for Summary Judgment”, (Doc. No. 39), the “Statement of Material Facts in Support of Defendants Richard Jones’ and Francis Priscopo’s Motion for Summary Judgment”, (Doc. No. 39-1), Plaintiff’s untitled brief opposing Defendants’ motion, (Doc. No. 50-1), and “Plaintiff’s Counter-Statement of Facts in Opposition to the Defendants’ Motion for Summary Judgment” (Doc. No. 50), **IT IS HEREBY ORDERED**, for the reasons set out in the Memorandum Opinion accompanying this Order, that Defendants’ motion to dismiss the John Doe Defendants is **GRANTED**; Defendants’ request for oral argument is **DENIED**; and Defendants’ Motion for Summary Judgment is:

1. **GRANTED** as to Richard Jones and Francis Priscopo regarding Plaintiff’s claim of malicious prosecution under 42 U.S.C. § 1983, (Compl., Doc. No. 33, Count I);
2. **GRANTED** as to Francis Priscopo regarding Plaintiff’s claim of malicious prosecution under Pennsylvania state law, (Compl., Doc. No. 33, Count I);
3. **DENIED** as to Richard Jones regarding Plaintiff’s claim of malicious prosecution

under Pennsylvania state law, (Compl., Doc. No. 33, Count I);

4. **GRANTED** as to Richard Jones and Francis Priscopo regarding Plaintiff's claim of vindictive prosecution under 42 U.S.C. § 1983, (Compl., Doc. No. 33, Count II); and
5. **GRANTED** as to Richard Jones and Francis Priscopo regarding Plaintiff's claim of vindictive prosecution under Pennsylvania state law, (Compl., Doc. No. 33, Count II).

Accordingly, trial will commence on the Pennsylvania state law malicious prosecution claim as to Defendant Richard Jones only. Counsel is referred to the Court's Amended Scheduling Order of December 3, 2014, (Doc. No. 47), and the pretrial requirements set out within that Order.

BY THE COURT:

/s/ David R. Strawbridge
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE